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15 Attorneys for Defendant  
16 GOOGLE INC.

17 UNITED STATES DISTRICT COURT  
18  
19 NORTHERN DISTRICT OF CALIFORNIA  
20  
21 SAN FRANCISCO DIVISION

22 ORACLE AMERICA, INC.,

23 Plaintiff,

24 v.

25 GOOGLE INC.,

26 Defendant.

Case No. 3:10-cv-03561 WHA

**[PROPOSED] ORDER GRANTING  
DEFENDANT GOOGLE INC.'S  
MOTION FOR A FINDING OF CIVIL  
CONTEMPT AND FOR SANCTIONS**

Date: September 8, 2016 at 8:00 a.m.  
Dept.: Courtroom 8, 19<sup>th</sup> Fl.  
Judge: Hon. William Alsup

1 This matter having come before the Court on Defendant Google Inc.'s Motion For a  
2 Finding of Civil Contempt and For Sanctions, and the Court having considered the Motion, the  
3 materials in support thereof, Oracle's opposition thereto, the pleadings on file and other  
4 relevant materials that have been submitted for consideration, the Court hereby **GRANTS**  
5 Google's Motion.

6 **IT IS HEREBY ORDERED** that:

7 1. The Court finds that plaintiff Oracle America, Inc. and its outside  
8 counsel at the firm of Orrick, Herrington & Sutcliffe LLP violated the Protective  
9 Order in this action; and

10 2. Defendant Google Inc. is entitled to recover from Oracle America,  
11 Inc. and the firm of Orrick, Herrington & Sutcliffe LLP the expenses, costs and  
12 attorneys' fees incurred by Google as a result of the violations of the Protective  
13 Order.

14 **IT IS FURTHER ORDERED** that Google shall provide to Oracle, within ten (10)  
15 days of the date of this Order, an itemization of the amounts incurred by Google as a result of  
16 the violations, and that the parties shall confer in good faith, within seven (7) days after receipt  
17 of such itemization, regarding whether they can reach agreement regarding the amount to be  
18 paid by Oracle and Orrick Herrington to Google in accordance with the above. In the event the  
19 parties cannot reach agreement, Google shall file, within five (5) days of the parties'  
20 conference, a request for the Court to determine the amount.

21 **IT IS SO ORDERED.**

22  
23 Dated:

24  
25 By: \_\_\_\_\_  
26 HON. WILLIAM ALSUP  
27 UNITED STATES DISTRICT JUDGE  
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